

Prior to his appointment to the State bench, Judge Ross served as county counselor for St. Louis County and in the St. Louis County's Prosecuting Attorney's Office. He is a graduate of Emory University and the Emory School of Law. The American Bar Association Standing Committee on the Federal Judiciary unanimously rated Judge Ross "well qualified."

Timothy M. Cain is nominated to be U.S. district judge of South Carolina. Judge Cain presently serves as a South Carolina Family Court judge in the Tenth Judicial Circuit. The South Carolina General Assembly elected him to that position in 2000 and reelected him in 2004 and 2010. In 2005 the chief justice of South Carolina's Supreme Court appointed Judge Cain to serve as the chief administrative judge for the Family Court of the Tenth Judicial Circuit. By designation of the chief justice, Judge Cain also served as acting associate justice for the South Carolina Supreme Court on several occasions.

Prior to his judicial service, Judge Cain had a distinguished private practice in South Carolina. He maintained a general practice and assisted in representing several local governments and municipal clients. During his years of private practice he also served the public sector. Judge Cain served as a part-time assistant public defender with the Oconee Defender Corporation in that State.

From 1988 to 1990 he served as assistant solicitor general for the Solicitor's Office of the Tenth Judicial Circuit, where he represented South Carolina in prosecuting child abuse and neglect cases and various criminal cases.

In 1992 the county supervisor appointed Judge Cain as county attorney for that home county.

He is a graduate from the University of South Carolina and the University of South Carolina School of Law. The ABA Standing Committee on the Federal Judiciary unanimously rated Judge Cain "qualified."

I congratulate both nominees and yield the floor.

The PRESIDING OFFICER. Under the previous order, Calendar No. 169 is confirmed.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Timothy M. Cain, of South Carolina, to be United States District Judge for the District of South Carolina?

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. BINGAMAN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 140 Ex.]

YEAS—99

Akaka	Gillibrand	Mikulski
Alexander	Graham	Moran
Ayotte	Grassley	Murkowski
Barrasso	Hagan	Murray
Baucus	Harkin	Nelson (NE)
Begich	Hatch	Nelson (FL)
Bennet	Heller	Paul
Blumenthal	Hoeven	Portman
Blunt	Hutchison	Pryor
Boozman	Inhofe	Reed
Boxer	Inouye	Reid
Brown (MA)	Isakson	Risch
Brown (OH)	Johanns	Roberts
Burr	Johnson (WI)	Rockefeller
Cantwell	Johnson (SD)	Rubio
Cardin	Kerry	Sanders
Carper	Kirk	Schumer
Casey	Klobuchar	Sessions
Chambliss	Kohl	Shaheen
Coats	Kyl	Shelby
Coburn	Landrieu	Snowe
Cochran	Lautenberg	Stabenow
Collins	Leahy	Tester
Conrad	Lee	Thune
Coons	Levin	Toomey
Corker	Lieberman	Udall (CO)
Cornyn	Lugar	Udall (NM)
Crapo	Manchin	Vitter
DeMint	McCain	Warner
Durbin	McCaskill	Webb
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Franken	Merkley	Wyden

NOT VOTING—1

Bingaman

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid on the table.

The President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

EXTENDING THE GENERALIZED SYSTEM OF PREFERENCES—Continued

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that there be 2 minutes equally divided prior to the next vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Republican leader.

AMENDMENT NO. 626

Mr. MCCONNELL. Mr. President, my amendment on which we are about to vote would grant to the President something no President has had since trade promotion authority expired back in 2007. Without trade promotion authority, there will be no other trade agreements. We all know that. If America wants to be the leader of the world in trade, we have to have trade agreements.

What I have done here is offered trade promotion authority—what we used to call fast-track—as an amendment to trade adjustment assistance. They have been historically linked going back to 1974. I think it is a big

mistake for our country, even if we provide trade adjustment assistance, to just operate as if there are not going to be any more trade agreements in the United States. We used to be the leader in world trade.

My party does not occupy the White House. I want the President of the United States, whoever that is, to have trade promotion authority because I would like to see us have an opportunity to have trade agreements in the future. All of our competitors have taken advantage of the fact that we have not had a trade agreement for years.

These three agreements were actually negotiated by the previous administration. So if we would like for this President or the next President—because this would extend TPA to the end of 2013, so it will grant this authority to the next President, whoever that is, in addition to this President—if my colleagues think we ought to have another trade agreement sometime in the future for the United States of America, I urge them to support my amendment.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I agree with much of what the minority leader said. I very much believe we should negotiate free-trade agreements with other countries. I think we are behind the curve. Other countries are negotiating. We are being left behind. We should negotiate agreements that are good agreements.

The amendment offered by the Senator from Kentucky, however, is the 2002 version. A lot has changed in the last 10 years. There are environmental provisions, labor, and China is very much a competitor. I think it would be unwise to extend TPA because there are changes in the world today that this version does not reflect. It has to be updated to the current times.

Second, if this amendment would pass, then we wouldn't be getting free-trade agreements. The Speaker has made it very clear he wants a clean bill and then he will take up TAA—this bill—which many of us support by a large margin, and then he will take up the free-trade agreements. So if this body wants TAA and wants the FTAs, we have to vote against this amendment at this time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 626, as modified, offered by the Senator from Kentucky, Mr. MCCONNELL.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 45, nays 55, as follows:

[Rollcall Vote No. 141 Leg.]

YEAS—45

Alexander	Enzi	McCain
Ayotte	Grassley	McConnell
Barrasso	Hatch	Moran
Blunt	Heller	Murkowski
Boozman	Hoeben	Portman
Brown (MA)	Hutchison	Pryor
Burr	Inhofe	Risch
Chambliss	Isakson	Roberts
Coats	Johanns	Rubio
Coburn	Johnson (WI)	Sessions
Cochran	Kirk	Shelby
Corker	Kyl	Thune
Cornyn	Lee	Toomey
Crapo	Lieberman	Vitter
DeMint	Lugar	Wicker

NAYS—55

Akaka	Graham	Nelson (FL)
Baucus	Hagan	Paul
Begich	Harkin	Reed
Bennet	Inouye	Reid
Bingaman	Johnson (SD)	Rockefeller
Blumenthal	Kerry	Sanders
Boxer	Klobuchar	Schumer
Brown (OH)	Kohl	Shaheen
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Collins	Manchin	Udall (NM)
Conrad	McCaskill	Warner
Coons	Menendez	Webb
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murray	
Gillibrand	Nelson (NE)	

The amendment (No. 626), as modified, was rejected.

The PRESIDING OFFICER (Mr. BENNET). On this vote, the yeas are 45, the nays are 55. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. BAUCUS. Mr. President, I move to reconsider the vote.

Mr. GRASSLEY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I wish to address the Senate for about 6 or 7 minutes on a trade issue that normally I would be offering an amendment on. I am not going to offer an amendment during this debate because I think it is very important we move forward with this legislation so, hopefully, the President will stop moving the goalposts and send to the Senate Panama, Colombia, and South Korea.

But the reason I address the issue of the general system of preferences is because, quite frankly, I am sick and tired of a lot of nations—that may not be considered developed yet but advanced very rapidly in the last 20 years—taking advantage of our GSP system. I do not mind them taking advantage of our GSP system, but what irritates me is a lot of times in WTO negotiations, they are the very same countries that are finding fault with the United States and Europe not giving enough on agricultural issues, as an example, at the very same time these countries have very high tariffs on our products getting into their country, when they get, under GSP, their products into our country duty free.

So, Mr. President, I want you to know I appreciate the fact we are finally debating the merits of trade legislation.

Most people agree that one way we can help our economy is by opening and expanding markets for American-made products. I look forward to the President, as I just said, sending us the free-trade agreements. In the meantime, much of the discussion has centered on the bill before us, the GSP and the Trade Adjustment Assistance Program.

While it is important for us to have a discussion on the merits of TAA, I do not want my colleagues to overlook the significance of the underlying bill. This bill extends the general system of preferences. This program provides one-way—and I want to emphasize—duty-free access to U.S. markets. So over a period of several decades, we have been awfully good to a lot of countries that we think we ought to help and we have been helping.

The basic principle, then, behind the GSP is to provide certain goods made in developing countries with preferential market access to the United States in the form of this duty-free status. The intention is to help spur economic growth in developing nations.

I support the premise that we can help developing countries by promoting trade. But I can also tell you that our patience is getting very thin with some of those countries, particularly when we see them not reciprocating in a way that they have the capability of reciprocating. Our trade relations, however, should increasingly be based upon reciprocity by which other countries will provide the same open access to U.S. exports. In other words, as those countries become more developed, we need to require that they move toward operating on a level playing field with the United States.

Congress needs to take, then, a hard look at GSP and scrutinize whether it is helping accomplish the U.S. trade agenda. I think we would find some of these countries coming up short. In another environment of discussing trade, I would be taking a different approach: that we would send a clear signal to some of these countries of our impatience, and they are going to have to graduate off GSP. If other nations believe they will always enjoy GSP, then what incentives do they have to open their markets to U.S. goods? That is why we ought to very much advance the system of graduating off GSP with some of those countries.

There are nations that benefit from GSP that, quite frankly, have moved beyond what I consider to be developing countries. I continue to question why we provide preferential treatment at all to the products from countries such as Brazil and India. These countries have at times worked against the trade interests of the United States, including resistance to reducing high tariffs on U.S. exports. Both of these countries have countless products com-

peting in the global market with U.S. products.

I am not offering an amendment, as I have already said, to this GSP bill, not because I do not think my position is good but because I want to see the pending trade agreements submitted and approved by the Congress. I am not interested in raising any barriers that make that task more difficult than the President has already made it.

However, I will continue to push for reform of GSP. I urge my colleagues to take a close look at this program and consider the points I have raised in the past and I am raising right now but not raising in the form of an amendment that ought to be offered at this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

MORNING BUSINESS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISASTER RELIEF

Ms. LANDRIEU. Mr. President, I know the short debate we had, just in the last couple of hours, and the votes are important, about the Senate and the House figuring out a way as to how to move forward on some of the trade agreements that are pending, and the appropriate ways to make sure American workers are not left behind, that they are actually helped and supported. And those issues are very important.

But I come to the floor today to talk again about another important issue that is pending before the Congress right now that is of extreme importance to millions and millions of Americans who are following this debate through the viewing of the procedures here on the Senate floor and in the House, and also following on Twitter and other Internet sites and opportunities on their local news and radio stations about what we are doing on disaster relief.

That is a good question because I think—and many of the Senators, Democrats and Republicans, as well, on the Senate side; particularly 10 of my colleagues from the other side who stood with us last week to say—it is time to fund the disasters in America today.

We are questioning why the House of Representatives is dragging its feet on this important issue or why the leadership, the Republican leadership in the House would be even hesitating to fund the ongoing needs of FEMA, the Corps of Engineers, the Department of Housing and Urban Development through community development block grant funding and agricultural disaster relief, which is so important.

In disasters, sometimes the pictures are focused on cities or suburbs, and it is heartwrenching.